

**HAMILTON COUNTY ELECTION COMMISSION  
MINUTES OF SPECIAL MEETING  
JUNE 16, 2003**

**Call to Order.** Upon notice duly given, Chairman Tyrone L. Waller called to order a special meeting of the Hamilton County Election Commission at 5:00 p.m. on June 16, 2003, at the office of the Hamilton County Election Commission, 514 East 4<sup>th</sup> Street, Chattanooga, Tennessee.

**Present at Meeting.** Chairman Waller, Secretary Walden and Commissioners Kennedy and DeWitt were present at the meeting. Attorney Jerry Summers, Auditor Quentin Howard, Deputy Woods, Deputy Gaston, Deputy DeFriese, Deputy Knowles and Administrator of Elections Fran Dzik were present by invitation. Also present were members of the community as shown on the attached sheet.

**Red Bank Municipal Election Issue.** Administrator Dzik advised the Commission that on Wednesday, June 11, 2003, during the independent review of the election documents for the Red Bank and Soddy-Daisy municipal elections, Mr. Howard discovered a discrepancy in the number of ballots reported by the precinct officials as cast ballots and the number of ballots reported on the Accu-Vote records as cast ballots in the Red Bank 2 precinct. Administrator Dzik stated Mr. Knowles contacted an election official from that precinct and he was advised that election officials inadvertently ran 13 write-in ballots cast at that precinct through the Accu-Vote unit a second time, which resulted in the discrepancy.

Administrator Dzik stated that the 13 ballots which were tabulated two times could result in a change in the election results for the Red Bank Commissioner-at-Large position. She stated that no other elections would be affected by this error.

Administrator Dzik further advised that Mr. Howard's review indicated no problems with the Soddy-Daisy election or with the two remaining Red Bank polling locations.

Upon discovering the error, Administrator Dzik advised that she contacted attorney Summers in Memphis and the decision was made to petition Chancery Court to permit the Commission to unseal the ballot box from Red Bank 2 and tabulate the ballots.

Attorney Summers advised the Commission that he had discussed the issue with both Chancellors while in Memphis and that Chancellor Peoples had agreed to hear the matter on Monday, June 16, 2003. The Chancellor, after hearing testimony, entered an Order authorizing the Commission to open the ballot boxes and recount the ballots. A copy of the petition and order is attached hereto and made a part of these minutes.

Whereupon, the Commission recessed while the ballot box was opened and the ballots processed through the Accu-Vote unit. The final results for Red Bank 2 precinct indicated that 371 ballots were cast, with Joe Glasscock receiving 160 votes and Monty N. Millard receiving 193 votes. There were 3 write-in votes cast.



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The Commission reconvened and the election results for the Commissioner-at-Large election were announced, with the total votes cast reported as follows: Joe Glasscock—604 votes; Monty N. Millard—599 votes; write-in votes—12 votes.

**Adjournment.** There being no further business to come before the meeting, the meeting was adjourned.

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Michael S. Walden                      Secretary

APPROVED:

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Tyrone L. Waller                      Chairman

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Linda Johnson                      Commissioner

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William Kennedy                      Commissioner

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Luanne H. DeWitt                      Commissioner